

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: Refrigerant Compressors
Antitrust Litigation

Case No. 2:09-md-02042
Case No. 2:13-12638

Honorable Sean F. Cox

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This Document Relates to 13-12638,
General Electric v Whirlpool Corp, et al.,

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INITIAL MONTHLY REPORT BY
SPECIAL JURISDICTIONAL DISCOVERY MASTER

Special Jurisdictional Discovery Master Edward M. Kronk (“Discovery Master”) submits the following Initial Monthly Report pursuant to the Court’s April 1, 2015 Stipulated Order Appointing Special Jurisdictional Discovery Master and Fed. R. Civ. P. 53(e).

1. The Discovery Master convened an initial telephone conference with counsel for Plaintiff GE and the Danfoss Defendants on April 27, 2015 to discuss the procedural status of the case, identify the issues in dispute and plan for a hearing on the pending issues. The parties identified two pending motions: Plaintiff’s Motion to Compel Further Responses to Jurisdictional Discovery (GE ECF 95) and Plaintiff’s Motion for Leave to File a Reply in Support of Its Motion to Compel Further Responses from the Danfoss Defendants (GE ECF 101).
2. During the April 27, 2015 telephone conference the Discovery Master directed:

- a. GE to determine whether, in light of the telephone conference and other recent events in the case, it would pursue or withdraw its Motion for Leave to File a Reply;
 - b. The parties to confer and agree upon a joint submission of documents to be reviewed and considered by the Discovery Master in connection with the resolution of the pending motion(s) and to submit those documents to the Discovery Master by May 7, 2015;
 - c. The parties to confer and submit to the Discovery Master a Supplemental Joint Status Report addressing the parties' respective positions on the impact of the Court's ruling on the Motion to Dismiss by Danfoss Flensburg and Danfoss LLC and identifying the issue(s) presently before the Discovery Master for resolution;
 - d. The parties to appear for a hearing on May 19, 2015 at the office of the Discovery Master.
3. On April 30, 2015, counsel for GE advised that the parties had reached an agreement regarding GE's Motion for Leave to File a Reply. Specifically, the parties agreed that GE will withdraw its Motion for Leave to File a Reply and instead GE would file a reply brief not to exceed three pages by May 5, 2015 and the Danfoss Defendants would file a sur-reply brief not to exceed three pages by May 12, 2015.
4. On May 19, 2015 the Discovery Master convened a hearing on Plaintiff's Motion to Compel Further Responses to Jurisdictional Discovery at 10:00 a.m. After general discussion and argument regarding the appropriate temporal and subject matter scope of the pending discovery, the hearing turned to consideration of specific groups of the pending discovery requests following the organization set forth in GE's Limited Reply in

Support of its Motion to Compel Further Responses From the Danfoss Defendants Dated May 5, 2015.

5. Due to travel schedules for various counsel, it was necessary to adjourn the hearing shortly after 3:00p.m. Although progress was being made, issues remained to be addressed. The parties and the Discovery Master agreed to reconvene the hearing promptly on a mutually agreeable date.
6. Based on discussions with counsel during the May 19, 2015 hearing, it became apparent to the Discovery Master that counsel for the parties should engage in further and substantial conversations among themselves in an effort further to narrow the specific issues in dispute before the hearing reconvenes.
7. As of the date of this report, the Discovery Master and counsel for the parties are working to establish a date for the continuation of the hearing.

/s/ Edward M. Kronk

Edward M. Kronk

Special Jurisdictional Discovery Master

Dated: May 29, 2015

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2015, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

By: /s/ Edward M. Kronk

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